**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO. 1044 OF 2005
IN
SUIT NO. 884 OF 2005

Perveez Dinshaw Jesia & ors. ... PLAINTIFF

V/s.

Narendra Jhaveri & Ors. ... DEFENDANTS

Mr. U.J. Makhija i/b. M/s. Mulla & Mulla & CBS for the plaintiff.
None for the defendant.

**CORAM : ANOOP V. MOHTA, J.**
**DATED : 24th March, 2006**

P.C.

. None appeared for the defendant. Even on last occasion when an order on 30th August, 2005 was passed, inspite of fresh notice, defendant No. 1 is absent today.

2. Considering the averments made and view of order dated 30th August, 2005, I am of the view that this Notice of Motion is disposed of in view of statements recorded and the order which has been in operation since 30th August, 2005. In view of this, prayer clause (a) is granted.

Clause (a) - that pending the hearing and final disposal of the suit this Hon’ble Court be pleased to

issue an order and injunction restraining the Defendant No. 1 and 2, either through themselves, their servants, agents and/or assign from in any manner whatsoever disposing off, encumbering, dealing with, parting with possession of and/or creating any third party rights and/or interests in the said 187 shares of the Defendant No. 3 Company (more particularly described in Exhibit "B" to the plaint) except in favour of the plaintiff;

3. This Notice of Motion is accordingly disposed off.

**[ANOOP V. MOHTA, J.]**